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HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re IBM 30(b)(6) Subpoena in the matter of:

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff and Counterclaim
Defendant,

v.

PLATFORM SOLUTIONS, INC.,

Defendant and Counterclaimant.

CASE NO. NO. C07-80174 RMW (PVT)
The Hon. Patricia V. Trumbull

Underlying action pending in the United States
District Court for the Southern District of New
York, CASE NO. CV 06-13565 SCR

**ADMINISTRATIVE MOTION PURSUANT
TO CIVIL L.R. 7-11 AND 79-5(c) TO FILE
UNDER SEAL UNREDACTED PAGES OF
NONPARTY HEWLETT-PACKARD
COMPANY'S MOTION TO MODIFY
SUBPOENA AND FOR A PROTECTIVE
ORDER; [PROPOSED] ORDER GRANTING
MOTION; AND DECLARATIONS IN
SUPPORT THEREOF.**

[Declaration of Alexander S. Klein III and
[Proposed] Order filed concurrently herewith]

Date: June 3, 2008
Time: 10:00 a.m.
Place: Courtroom 5

Pursuant to Civil Local Rules 7-11 and 79-5, as set forth in the Declaration of Alexander Klein III (filed concurrently herewith), and in connection with the concurrently-filed *Motion to Modify Subpoena and for a Protective Order*, Nonparty Hewlett-Packard Company ("HP") moves this Court for administrative relief to maintain filed under seal and/or with redactions the following documents:

1. Portions of Non-Party Hewlett Packard Company's Motion to Modify Subpoena and for Protective Order and the [Proposed] Order Granting Motion ("Motion");
2. Portions of the Declaration of Steven Howard in Support of the Motion; and
3. Portions of Exhibits A, D, H, L, M, N, O, and Q attached to the Declaration of Angelique Kaounis in Support of the Motion.

Civil Local Rule 79-5 (c) provides that: "[i]f only a portion of a document is sealable, counsel seeking to file that portion of the document under seal must: (1) File and serve an Administrative Motion to File Under Seal, in conformance with Civil L.R. 7-11, accompanied by a declaration establishing that a portion of the document is sealable. . . ." Accordingly, HP submits this Administrative Motion because it wishes to file documents in support of its Motion that contain, quote and/or refer to HP's valuable confidential proprietary information that may cause harm to HP's competitive interests if disclosed (as further explained in the accompanying declaration of Alexander S. Klein, at ¶¶ 4-8).

Motion

The Motion is filed with redactions on page 4, lines 6-8, on page 9, line 11, on page 10, line 2 of the Motion itself, and on page 2, lines 19-20 of the [Proposed] Order thereto, for the reasons set forth in the accompanying declaration. Declaration of Alexander S. Klein III in Support of the Administrative Motion to Seal ("Klein Declaration"), at ¶¶ 4-8.

Stephen Howard Declaration

The Declaration of Stephen Howard is filed with redactions at page 2, lines 4, and 24-26 for the reasons set forth in the accompanying declaration. Klein Declaration at ¶¶ 4-8.

Exhibits to the Declaration of Angelique Kaounis

Exhibits A, D, H, L, M, N, O, and Q to the Declaration of Angelique Kaounis filed in Support of the Motion are filed with partial redactions for the reasons set forth in the accompanying declaration. Klein Declaration at ¶¶ 4-8.

As required by Civil Local Rule 79-5, the following additional papers are also being lodged with the Court: (1) a proposed order to seal portions of the documents; (2) a copy of the documents with the sealable portions highlighted; and (3) a redacted copy of the documents, which are attached to the Klein Declaration filed concurrently herewith. Because Civil Local Rule 79-5(a) prohibits the sealing of documents by agreement of the parties, the parties are unable to enter into a stipulation in support of this administrative motion. *See* Civil L.R. 7-11.

DATED: April 29, 2008

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Angelique Kaounis
ANGELIQUE KAOUNIS